

# THE REHEARSAL.

1. The Dispute is only how to know an *Act of Parliament*.
2. The *Observer* yields all the *Judges* and *Lawyers* in *England* to be on my Side.
3. His *Dernier Resort* of *Parliament* makes against him most of all.
4. He grants that *Coercion* over the *King* or the *Crown* is *Treason*, and *Non-sense*.
5. But he says a *Tyrant* is no *King*.
6. Then no *King* can be a *Tyrant*.
7. What he means by *Coercion* over the *Crown*. He Separates the *Authority* of the *King* from his *Person*. Which is *Traiterous*.
8. He is against the *King de Facto*, unless he be *de jure* too.
9. He thinks the late *King James* Ceas'd to be *de jure* for the *Toleration* he Granted to the *Dissenters*. The *Stile* of *King* was given to *K. Cha. I.* at his *Trial*, and on the *Scaffold*. What *Lambard* meant by Losing the *Name* of *King*.
10. By the *Observer's* Rule we cannot know who is *King*, or who is *Tyrant*.
11. His Argument Strikes at all *Kings*, *Good*, *Bad*, or *Indifferent*.
12. By his Assertion ther is not a *King* or *Queen* now in the *World*, or Ever were.

WEDNESDAY, October 6. 1708.

1. Country-man. YOU have fet the *Observer* Right, in the Close of your Last, *Master*, as to the State of the Case betwixt you; which is no more than if I shou'd Quote a False *Act of Parliament* in *Westminster-Hall*, and then shou'd Deny that all the *Judges* and *Lawyers* there cou'd tell better than I whether it was an *Act of Parliament* or not? For which I suppose there is no more than going to the *Statute Book* for it. And if I cannot shew it there, or in the *Original Records*, then it is no *Act of Parliament*. For all our *Acts of Parliament* are there. And if the *Observer* cannot shew his *Saxon Laws* there, they are no *Laws* of *Ours*. And yet *Westminster-Hall* must be no *Judge* of this, but only the *Parliament*!

(2.) *Rehears*. However, he by this has given me all the *Judges* and all the *Lawyers* in *England* on my side. And if we all cannot hold it out against the *Observer*, he is a Man of *Mettle* indeed!

(3.) But now that I may Demolish him intirely, and not leave him a Rag to cover his Nakedness, I will go with him to his *Dernier Resort* the *Parliament*. And he will find as few Friends there as in *Westminster-Hall*. All make against him. Nay, none so bad as this! For I have produc'd *Acts of Parliament* not only Condemning all *Coercion*, as if then Enacted by *Authority* of

that present *Parliament*, but Declaring of Former times, that by the Undoubted and Fundamental *Laws* of this Kingdom, neither *Parliament* nor *People* ever Had, or Have, or Ought to have any *Coercive* Power over the *Kings* of this Realm. And can we Suppose that none of either *House of Lords* or *Commons* had ever heard of *Lambard* and his *Saxon Laws*? Yet we see what Regard was paid to them! That notwithstanding of all that the *Observer* has Pleaded out of them, yet that *Coercion* Ever was against the Fundamental *Laws* of this Realm, and that this was Undoubted.

*Country-m.* Alas, poor *Observer*! Whether will he go Now? His *Dernier Resort*, as well as *Westminster-Hall*, has Forsaken him, and cut him down more than all the Rest of his *Evidence*.

(4.) But, *Master*, he seems to give up the Cause, and come to your Hand intirely, for in the same *Observer* you were last upon of the first of September last, N. 57. he says thus to his *Roger*,

"He (the *Rehears*) talks of a *Coercive* Power over *Kings*, and over the *Crown*, which I have told him, as Plain as I cou'd, is *Non-sense* as well as *Treason*, and Defended by No body that I know of.

Now what wou'd you have more? He makes it *Nonsense*, as well as *Treason*. He Clears both the *King* and the *Crown* from all *Coercion*.

(5.)

(5.) *Rehears.* You Miftake him, *Country-man*. He explains himfelf afterwards, as he did in feveral of his *Observers* before, That if a *King* breaks the *Laws*, he *ipfo facto* Ceafes to be a *King*, and from that Moment Commences a *Tyrant*! And he is only for Depofing *Tyrants*, but not *Kings*.

(6.) *Country-m.* But is not a *Tyrant* a *King*? Don't we fay a *Tyrannical King*? Which cou'd not be, if a *Tyrant* were not a *King*.

(7.) But he frees the *Crown* too from *Coercion*. By which I don't fuppofe he Means to *Coerce* fome of the *Jewels* out of it, as *Blood* did. But to *Coerce* its juft Power and *Prerogative*, that is, the *Authority* of Him who has *Right* to Wear it. For otherwife it has no *Right* more than fo much other *Gold*, Unlefs it be kept in a fine *Cafe*. Now when the *King* do's any *Illegal Act*, and fo Ceafes to be *King*, what becomes of the *Crown*? It is in the *Clouds*, for it is upon no *Body's* Head, becaufe no *body* is *King*! What do's the *Observer* then mean by *Coercing* the *Crown*?

*Rehears.* This is to Diftinguish the *Authority* of the *King* from his *Perfon*. And if the *Observer* will take the Word of an *Act* of *Parliament*, this is a *Traiterous* Pofition, by the *Act* of *Uniformity*.

(8.) *Country-m.* But what do's he mean by faying that fuch a *King* lofes the *Name* of *King*? I fuppofe he means *de Jure*, and not *de Facto*. For in *Fact* he ftill keeps the *Name* of *King* (let him be as *Tyrannical* as he will) ftill he is put out of *Poffeffion*. We have no other *Name* to call him by.

(9.) I fuppofe the *Observer* thinks that the late *King James* did Ceafe to be *King* ever after he had Granted a *Toleration* to the *Difsenters* contrary to *Law* (yet they Thank'd him *Heartily*, but they now fay *Hypocritically*, for it) But ftill he Retain'd the *Name* of *King*. They did not Call him *Mr. Stuart*, nor *Mr. Tyrant*! And they call'd his Father *King of England* when they were *Try-ing* him as a *Tyrant*. The *Executioner* call'd him his *Majefty* when his *Head* was upon the *Block*. But *Mr. Observer* wou'd not have been fo *Civil*! And all from his Miftake of *Lambard* (as you have fhew'd me before) That a *Tyrant* lofes the *Name* of *King*, that is, do's not Deferve it. As we fay fuch a one is not a *Man*, but a *Beaft*, he's a *Dog*. Which the *Observer* taking *Literally*, he fhews his *Philofophy* upon it!

(10.) But another thing, *Mr. Observer*—Suppofe I do not think that *King* a *Tyrant*, whom you think fo? And that I think him to be a *Tyrant*, whom you think a *Moft Excellent King*, a *Reftorer* of *Liberty* and *Pro-perty* &c. What a *Confufion* will here be about the *Name* of *King*? When hardly *Three* fhall

Agree in it! And we fhall 'not know what one another Mean by *King* or by *Tyrant*!

(11.) *Rehears.* There are but three Sorts of *Kings* that I know of, that is, *Good*, *Bad*, and *Indifferent*. We fhall fay *Nothing* of the *Bad*. But will the *Good*, or the *Indifferent*. Efcape? Firft for the *Good*. In my *first Vol. N. 75*. I have Quoted a *Top Whigg* Proving that *Good Kings* are *Worfe* than *Bad* ones, and more *Dangerous* to our *Liberties*, which they may *Coax* us out of, while we *Sufpect* *Bad* ones, and are upon our *Guard*. He compares *Good Kings* to what we call *Good Witches*, who feem to *Cure* one, that they may without *Sufpicion* Bewitch *Twenty*. And we know the *Fable*, how the *Sun* Sooth'd the *Traveller* out of his *Cloak*, which the *Storm* cou'd not Force from him. This was a fit *Argument* for this *Author*, who was *Solicitor* againft *King Char. I.* at his *Tryal*; becaufe of the *General Reputation* that *Prince* had Obtain'd of being a *Good Man*. So that we fee they want not *Pretences* againft *Kings*, even for their being *Good*!

And for the *Indifferent*, we have *Examples* of *Kings* *Depos'd*, *propter Inutile Imperium*, becaufe they were neither *Good* nor *Bad*! So that to be a *King* is *Crime* enough with the *Whiggs*, and they will never want *Objections* againft him, let him be *Good*, *Bad*, or *Indifferent*! There's none of them but may lofe the *Name* of *King*, according to the *Observer*. He wou'd have that *Name* *Abolish'd*.

(12.) *Country-m.* It is *Abolish'd* if ther be Ne'r a one in the *World* Deferves it. And ther is none according to *Observer*, or Ever was. For as you fhew'd *Num. 48.* of the laft *Volume*, he makes *Solomon* a *Tyrant*, and fays, he ought to have been *Depos'd*, as it is in the *Observer* of 10 *July* laft, *N. 42.* Then no *Man* or *Woman's* *Wisdom* can fecure them. No, nor their *Love* to their *Country*, and the utmoft *Care* of it, in making it *Rich* and *Prosp-erous*, and *Preserving* it in *Peace* and *Plenty* all his *Reign*. And never *Oppreffing* any, of which we have not one *Instance* in all the *Reign* of *Solomon*. Yet all this cou'd not *Pre-vent* *Rebellious Tribes*, *Spirited* by a *Jereboam* to call this *Reign* a *Grievous Yoke*! We have done fo in *Reign's* next to *Solomon's* for *Peace* and *Plenty*. And if we had a *King* who fhould *Promote Trade* like *Solomon*, till he made *Silver* as *Plenty* as *Stones* in *London*, the *Whiggs* wou'd flie in his *Face*, and the *Observer* wou'd *Un-King* him, as he has done to *Solomon*. And if the *Name* of *King* did not be-long to him, then, as I faid, ther is not a *King* or a *Queen* now upon the *Face* of the *Earth*, or ever were. For none made their *People* fo *Great* and *Rich* as *Solomon*.

#### ADVERTISEMENT S.

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